



PLANNING BOARD MEETING

Monday, June 07, 2021 at 5:30 PM
City Council Chambers | 202 N. Virginia Street, Port Lavaca TX 77979 and Zoom

PUBLIC NOTICE OF MEETING

AGENDA

Planning Board will consider/discuss the following items and take any action deemed necessary.

COVID-19 MEETING PROCEDURE

Public notice is hereby given that due to covid-19 concerns and in accordance with the governor's orders and recommendations, the city of Port Lavaca, Texas, city council meeting is closed to the public. Instead, the city council will be utilizing "Zoom Meeting and Facebook live transmission" on The City of Port Lavaca's Facebook page beginning at the time listed above.

VIRTUAL MEETING INFORMATION

Click to Join

Meeting: <https://us02web.zoom.us/j/81895290372?pwd=UGcvV05RNkZIMVNrd1BoYjZKOVlyQT09>

Meeting ID: 818 9529 0372

Passcode: 869472

To Connect VIA Phone: ++1 346 248 7799 US (Houston)

CERTIFICATION OF POSTING NOTICE

This is to certify that the above notice of a regular meeting of The Planning Board of The City of Port Lavaca, scheduled for **Monday, June 07, 2021**, beginning at 5:30 p.m., was posted at city hall, easily accessible to the public, as of **5:00 p.m. Friday, June 04, 2021**.

Jessica Carpenter, *Director of Development Services*

APPROVAL OF MINUTES

1. Approval of Minutes 05-3-21

ACTION ITEMS - *Council will consider/discuss the following items and take any action deemed necessary*

2. Discuss and approve Louis Neill Subdivision and take any action deemed necessary.
3. Discuss and approve Johnson replat and take any action deemed necessary.
4. Consider and discuss preliminary plat, Desai Subdivision, generally located North of Travis Street and South of Tiney Browning Boulevard on State Hwy 35 N. The property identification for this site is 29853. The preliminary legal description for the proposed subdivision will be Lot 1 and Lot 2 of Block 1 of Desai Subdivision in Calhoun County,

Texas. The total acreage for this plat is 3.99 acres. As well as a variance request for a reduced frontage lot width from the minimum of 50 ft. to 40.06 ft. and take any action deemed necessary.

ADJOURN

ADA NOTICE

The Port Lavaca City Hall and Council Chambers are wheelchair accessible. Access to the building is available at the primary north entrance facing Mahan Street. Special parking spaces are located in the Mahan Street parking area. In compliance with the Americans with Disabilities Act, the City of Port Lavaca will provide for reasonable accommodations for persons attending meetings. To better serve you, requests should be received 24 hours prior to the meetings. Please contact City Secretary Mandy Grant at (361) 552-9793 Ext. 230 for assistance.

COMMUNICATION

SUBJECT: Approval of Minutes 05-3-21

INFORMATION:

STATE OF TEXAS §
COUNTY OF CALHOUN §
CITY OF PORT LAVACA §

Due to COVID-19 concerns and in accordance with the Governor’s Orders and recommendations, the City of Port Lavaca, Texas Planning Boards meeting is closed to the public. Instead, the Planning Board will be utilizing ZOOM Meeting and Facebook Live Transmission on the City of Port Lavaca Facebook Page beginning at 5:30 PM central time on Monday May 3, 2021. You may make public comments as you would at a meeting on Zoom by logging on with your computer and/or smart phone as described in the Zoom invitation below or on Facebook Live through the comment section, which will be monitored and answered as appropriate.

Members in Zoom Meeting as follows:

Mike Elgin	Board Chairman
Mark Howell	Board Member
Betty Birdwell	Board Member
Lindsey Huang	Board Member

And with the following Board Members absent:

Gary Crone	Board Member
Justin Weaver	Board Member
Sheryl Cuellar	Board Member

Constituting a quorum for the transaction of business, at which time the following business was transacted:

Board Chairman Mike Elgin called the meeting to order and presided.

MINUTES:

Board Member Betty Birdwell made a motion

THAT the Planning Board hereby approves the minutes of the regular meeting held on April 5, 2021.

Board Member Mark Howell seconded the motion.

AYES: Elgin, Howell, Birdwell & Huang

NAYS: None

CONSIDER AND DISCUSS APPROVAL OF A REPLAT OF RAU SUBDIVISION LOTS 3, 4, 5, 6, 7, 8, 9 AND 10, BLOCK 1 OF THE ORIGINAL TOWNSITE OF PORT LAVACA, CITY OF PORT LAVACA, CALHOUN COUNTY TEXAS LOCATED ON THE SOUTHEAST CORNER OF CHESTNUT STREET AND GUADALUPE STREET. THE PROPERTY IDENTIFICATION NUMBERS FOR THIS REPLAT ARE AS FOLLOWS: 18523, 18492 AND 18546 AND TAKE ANY ACTION DEEMED NECESSARY

Board Member Mark Howell made a motion

THAT in accordance with the recommendation of staff, the Planning Board hereby makes recommendation to City Council to approve replat of Rau Subdivsion lots 3, 4, 5, 6, 7, 8, 9 and 10, Block 1 of the Original Townsite of Port Lavaca.

Board Member Betty Birdwell seconded the motion.

Motion passed by the following vote:

AYES: Elgin, Howell, Birdwell & Huang

NAYS: None

CONSIDER AND DISCUSS APPROVAL OF A REPLAT OF KONNOR’S COURT SUBDIVISION LOT 6, NW 17’ OF LOT 5, LOT 7, LOT8, NW 20’ OF LOT 9, SE 32’ OF LOT 9, AND NW 20’ OF LOT 10 OF BLOCK 5 OF THE ORIGINAL TOWNSITE OF PORT LAVACA, CITY OF PORT LAVACA, CALHOUN COUNTY TEXAS. LOCATED ON AUSTIN STREET AND GUADALUPE STREET. THE PROPERTY IDENTIFICATION

NUMBERS FOR THIS REPLAT ARE AS FOLLOWS: 18598, 18605, 18617 AND 18632 AND TAKE ANY ACTION DEEMED NECESSARY

Board Member Mark Howell made a motion

THAT in accordance with the recommendation of staff, the Planning Board hereby makes recommendation to City Council to approve replat of Konnor's Court.

Board Member Betty Birdwell seconded the motion.

Motion passed by the following vote:

AYES: Elgin, Howell, Birdwell & Huang

NAYS: None

CONSIDER AND DISCUSS APPROVAL OF A RECREATIONAL VEHICLE (RV) PARK TO BE LOCATED NORTH OF AUSTIN AND WEST OF ALCOA DRIVE WITHIN THE CITY LIMITS OF PORT LAVACA. THE PROPERTY IDENTIFICATION NUMBER IS 90212. THE LEGAL DESCRIPTION FOR THIS PARCEL IS A0137 SAMUEL SHUPE, TRACT PT 52, ACRES 6.96, PORT LAVACA AND TAKE ANY ACTION DEEMED NECESSARY

Board Member Mark Howell made a motion

THAT in accordance with the recommendation of staff, the Planning Board hereby makes recommendation to City Council to approve conceptual plan for Recreational Vehicle Park located North of Austin Street and West of Alcoa Drive.

Board Member Betty Birdwell seconded the motion

Motion passed by the following vote:

AYES: Elgin, Howell, Birdwell & Huang

NAYS: None

**CONSIDER AND DISCUSS APPROVAL OF A REVISED
CONCEPTUAL RETAIL DEVELOPMENT ON LOTS 4 AND 5
COTTAGE COVE SUBDIVISION. ADDRESSED AS 212 S.
COMMERCE STREET AND 214 S. COMMERCE STREET AND
TAKE ANY ACTION DEEMED NECESSARY**

Board Member Betty Birdwell made a motion

THAT in accordance with the recommendation of staff, the Planning Board hereby makes recommendation to City Council to approve conceptual plan for retail development on 212 S. Commerce and 214 S. Commerce Street.

Board Member Mark seconded the motion

Motion passed by the following vote:

AYES: Elgin, Howell, Birdwell & Huang

NAYS: None

**GENERAL DISCUSSION, REPORTS AND HEAR STATEMENT
FROM CITIZENS**

No citizens present.

ADJOURN

Board Member Mark Howell made a motion to adjourn the meeting.

Board Member Betty Birdwell seconded this motion.

Motion passed by the following vote:

AYES: Elgin, Howell, Birdwell & Huang

NAYS: None

Meeting adjourned.

CHAIRMAN

ATTEST:

Jessica Carpenter, Director of Development Services

COMMUNICATION

SUBJECT: Discuss and approve Louis Neill Subdivision and take any action deemed necessary.

INFORMATION:

CITY OF PORT LAVACA

PB MEETING: June 07, 2021 **AGENDA ITEM** _____

DATE: 06.01.2021

TO: PLANNING COMMISSION

FROM: JESSICA CARPENTER, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Consider and discuss approval of a preliminary plat located within the Port Lavaca Extra Territorial Jurisdiction (ETJ) for the Louis Neill Subdivision. Being a 4.162-acre tract of land situated in the Pascual Guajardo Survey, Abstract No. 20, Calhoun County, Texas. The proposed ETJ preliminary plat is subdividing 4.162-acres from the 53.64-acre remainder parcel. Reference PIN 26905 attachment to identify the ETJ segregation.

Plats within the ETJ of Port Lavaca are processed in accordance with Chapter 42 – Subdivisions and Plats. Below references the City Code of Ordinances, Chapter 42 – Subdivisions and Plats, where this Preliminary Plat request is compliant and will meet the ordinance as presented.

Chapter 42 - SUBDIVISIONS AND PLATS

https://library.municode.com/tx/port_lavaca/codes/code_of_ordinances?nodeId=PTIICOOR_CH42SUP_L_ARTIINGE_S42-5PO

Sec. 42-5. - Policy.

(a) It shall be unlawful for any owner or agent of any owner of land to lay out, subdivide, plat or replat any land into lots, blocks, and streets within the jurisdictional area of this chapter without the proper approval of the planning commission. It shall be unlawful for any such owner or agent to offer for sale or sell property for building lots, building tracts or urban use therein, which has not been laid out, subdivided, platted, or replatted with the approval of the planning commission in accordance with this chapter.

The applicant is compliance with the ETJ platting process prior to development.

Chapter 42 - SUBDIVISIONS AND PLATS[1]

https://library.municode.com/tx/port_lavaca/codes/code_of_ordinances?nodeId=PTIICOOR_CH42SUP_L

Footnotes:

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State Law reference— Extraterritorial jurisdiction of municipalities, V.T.C.A., Local Government Code ch. 42; municipal regulation of subdivisions, V.T.C.A., Local Government Code ch. 212; extraterritorial jurisdiction of municipalities in counties that regulate subdivisions, V.T.C.A., Local Government Code

ch. 242; recording of plats, V.T.C.A., Property Code § 12.002; extension of subdivision rules to extraterritorial jurisdiction, V.T.C.A., Local Government Code § 212.003.

Plats within the ETJ of Port Lavaca are processed in accordance with Chapter 42 – Subdivisions and Plats. The Local Government Code provide for reference as noted in the city code.

Texas Local Government Code

<https://statutes.capitol.texas.gov/Docs/LG/htm/LG.212.htm>

Sec. 212.0025. CHAPTER-WIDE PROVISION RELATING TO REGULATION OF PLATS AND SUBDIVISIONS IN EXTRATERRITORIAL JURISDICTION.

The authority of a municipality under this chapter relating to the regulation of plats or subdivisions in the municipality's extraterritorial jurisdiction is subject to any applicable limitation prescribed by an agreement under Section 242.001.

Sec. 212.003. EXTENSION OF RULES TO EXTRATERRITORIAL JURISDICTION.

(a) The governing body of a municipality by ordinance may extend to the extraterritorial jurisdiction of the municipality the application of municipal ordinances adopted under Section 212.002 and other municipal ordinances relating to access to public roads or the pumping, extraction, and use of groundwater by persons other than retail public utilities, as defined by Section 13.002, Water Code, for the purpose of preventing the use or contact with groundwater that presents an actual or potential threat to human health.

Staff Recommendation: Approval

Staff recommends approval of the preliminary plat located within the Port Lavaca Extra Territorial Jurisdiction (ETJ) for the Louis Neill Subdivision. Being a 4.162-acre tract of land situated in the Pascual Guajardo Survey, Abstract No. 20, Calhoun County, Texas. The proposed ETJ preliminary plat is subdividing 4.162-acres from the 53.64-acre remainder parcel. Reference PIN 26905 attachment to identify the ETJ segregation.

Attachments:

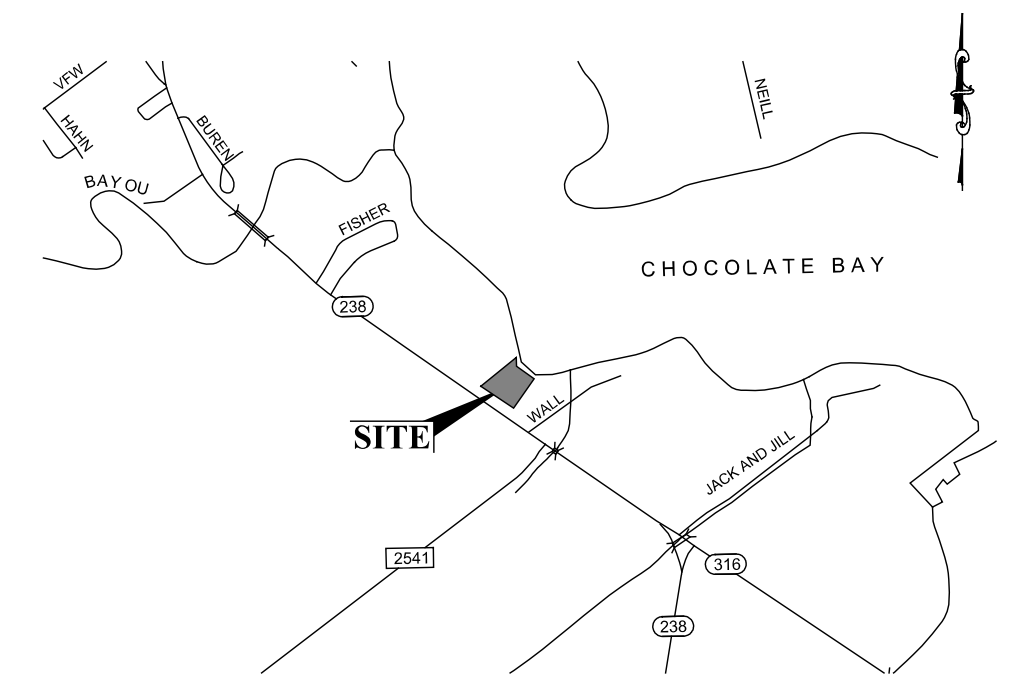
- Louis Neill Subdivision
- Louis Neill Subdivision metes and bounds
- PIN 26905

PRELIMINARY PLAT

LOUIS NEILL SUBDIVISION

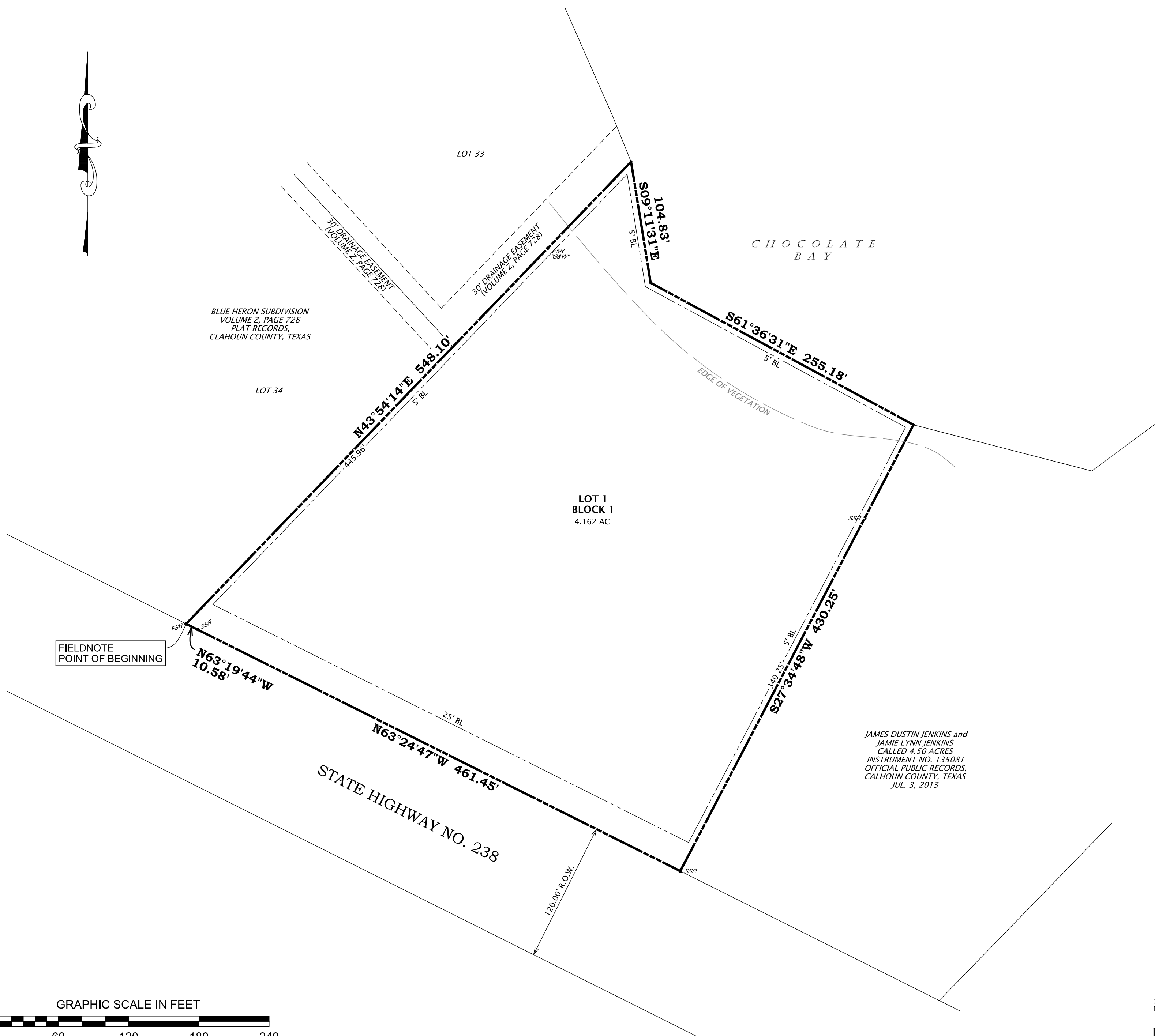
BEING A 4.162 ACRE TRACT OF LAND SITUATED IN THE PASCUAL GUAJARDO SURVEY, ABSTRACT NO. 20, CALHOUN COUNTY, TEXAS, AND BEING THAT SAME TRACT ONE, A CALLED 4.16 ACRE TRACT OF LAND DESCRIBED BY WARRANTY DEED DATED MARCH 21, 1974 CONVEYED FROM JAMES C. NEILL TO LOUIS W. NEILL AND WIFE, IRMALEE NEILL AS RECORDED IN VOLUME 284, PAGE 1176 OF THE DEED RECORDS, CALHOUN COUNTY, TEXAS.

LOCATION MAP



GENERAL NOTES

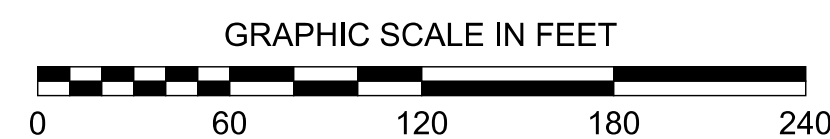
- SUBDIVISION NAME: LOUIS NEILL SUBDIVISION
- STREET NAMES:
EXISTING MINOR ARTERIAL - STATE HIGHWAY NO. 238
 - LAND USE: SINGLE FAMILY RESIDENTIAL
 - GROSS LAND AREA: 4.162 ACRES
 - ALL CORNERS ARE MARKED WITH A SET 5/8" DIAMETER STEEL ROD WITH YELLOW PLASTIC CAP MARKED "URBAN SURVEYING, INC" UNLESS OTHERWISE NOTED.
FSR - FOUND STEEL ROD
SSR - SET STEEL ROD
 - THIS PROPERTY IS LOCATED WITHIN THE CITY OF PORT LAVACA'S EXTRATERRITORIAL JURISDICTION (ETJ).
 - SINGLE LOT TO COMPLY WITH CALHOUN COUNTY RIGHT-OF-WAY, CULVERT, AND DRIVEWAY ORDER PASSED AND APPROVED BY CALHOUN COUNTY COMMISSIONER'S COURT ON NOVEMBER 24, 2008 AS REVISED JULY 10, 2019.
 - ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) FOR CALHOUN COUNTY, TEXAS, COMMUNITY PANEL NUMBER 48057 C0185E, MAP REVISED OCT. 16, 2014, THE SUBJECT PROPERTY IS LOCATED IN ZONE X, AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.



BLUE HERON SUBDIVISION
VOLUME Z, PAGE 728
PLAT RECORDS,
CALHOUN COUNTY, TEXAS

JAMES DUSTIN JENKINS and
JAMIE LYNN JENKINS
CALLED 4.50 ACRES
INSTRUMENT NO. 135081
OFFICIAL PUBLIC RECORDS,
CALHOUN COUNTY, TEXAS
JUL. 3, 2013

FIELDNOTE
POINT OF BEGINNING



SURVEYOR
usi
URBAN SURVEYING INC.
2004 N. Commerce St. Victoria, Texas 77901
Phone: (361) 578-9837 FIRM # 10021100

PLAT PREPARED BY
URBAN
engineering
2004 N. Commerce, Victoria, Texas 77901 · 361.578.9836
urbanvictoria.com · TREF# F-160

JOB NUMBER:	E24342.00	DATE:	06/01/2021	PG 1 OF 2
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PRELIMINARY PLAT

LOUIS NEILL SUBDIVISION

BEING A 4.162 ACRE TRACT OF LAND SITUATED IN THE PASCUAL GUAJARDO SURVEY, ABSTRACT NO. 20, CALHOUN COUNTY, TEXAS, AND BEING THAT SAME TRACT ONE, A CALLED 4.16 ACRE TRACT OF LAND DESCRIBED BY WARRANTY DEED DATED MARCH 21, 1974 CONVEYED FROM JAMES C. NEILL TO LOUIS W. NEILL AND WIFE, IRMALEE NEILL AS RECORDED IN VOLUME 284, PAGE 1176 OF THE DEED RECORDS, CALHOUN COUNTY, TEXAS.

METES AND BOUNDS DESCRIPTION

4.162 ACRES

THE STATE OF TEXAS;
THE COUNTY OF CALHOUN;

BEING A 4.162 ACRE TRACT OF LAND SITUATED IN THE PASCUAL GUAJARDO SURVEY, ABSTRACT NO. 20, CALHOUN COUNTY, TEXAS, AND BEING THAT SAME TRACT ONE, A CALLED 4.16 ACRE TRACT OF LAND DESCRIBED BY WARRANTY DEED DATED MARCH 21, 1974 CONVEYED FROM JAMES C. NEILL TO LOUIS W. NEILL AND WIFE, IRMALEE NEILL AS RECORDED IN VOLUME 284, PAGE 1176 OF THE DEED RECORDS, CALHOUN COUNTY, TEXAS, SAID 4.162 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FOUND 5/8" STEEL REBAR ALONG THE NORTHEAST LINE OF STATE HIGHWAY NO. 238 (A 120-FOOT RIGHT-OF-WAY) MARKING THE WEST CORNER OF THE AFORESAID 4.16 ACRE TRACT AND THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 43°54'14" EAST (NORTH 53°40'00" EAST), DEPARTING THE NORTHEAST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY NO. 238, WITH THE NORTHWEST LINE OF SAID 4.16 ACRE TRACT, AT A DISTANCE OF 1.50 FEET PASSING THE SOUTH CORNER OF LOT 34 OF THE BLUE HERON SUBDIVISION ACCORDING TO THE ESTABLISHED MAP OR PLAT THEREOF AS RECORDED IN VOLUME Z, PAGE 728 OF THE PLAT RECORDS, CALHOUN COUNTY, TEXAS, AT A DISTANCE OF 445.96 FEET PASSING A FOUND 5/8" STEEL REBAR WITH CAP STAMPED "G&W" ALONG THE SOUTHEAST LINE OF LOT 33 OF THE AFORESAID BLUE HERON SUBDIVISION FOR REFERENCE AND CONTINUING FOR A TOTAL DISTANCE OF 548.10 (549.20) FEET TO A POINT ALONG CHOCOLATE BAY MARKING THE COMMON CORNER OF SAID 4.16 ACRE TRACT AND THE AFORESAID LOT 33 FOR THE NORTH CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, ALONG SAID CHOCOLATE BAY, WITH THE NORTHEAST LINE OF SAID 4.16 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES:

 SOUTH 09°11'31" EAST (SOUTH 00°06'00" WEST), A DISTANCE OF 104.83 (103.80) FEET TO A POINT MARKING AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

 SOUTH 61°36'31" EAST (SOUTH 52°19'00" EAST), A DISTANCE OF 255.18 (252.67) FEET TO A POINT MARKING THE EAST CORNER OF SAID 4.16 ACRE TRACT AND BEING THE NORTHWESTERLY CORNER OF A CALLED 4.50 ACRE TRACT OF LAND DESCRIBED BY INSTRUMENT TO 135081 OF THE OFFICIAL PUBLIC RECORDS, CALHOUN COUNTY, TEXAS FOR THE EAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 27°34'48" WEST (SOUTH 36°41'00" WEST), ALONG THE COMMON LINE BETWEEN SAID 4.16 ACRE TRACT AND THE AFORESAID 4.50 ACRE TRACT, AT A DISTANCE OF 90.00 FEET PASSING A SET 5/8" STEEL REBAR WITH YELLOW PLASTIC CAP STAMPED "URBAN SURVEYING, INC." FOR REFERENCE ALONG SAID COMMON LINE AND CONTINUING FOR A TOTAL DISTANCE OF 430.25 (429.60) FEET TO A SET 5/8" STEEL REBAR WITH YELLOW PLASTIC CAP STAMPED "URBAN SURVEYING, INC." ALONG THE NORTHEAST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY NO. 238 MARKING THE SOUTH CORNER OF SAID 4.16 ACRE TRACT AND BEING THE WEST CORNER OF SAID 4.50 ACRE TRACT FOR THE SOUTH CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, ALONG THE NORTHEAST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY NO. 238, WITH THE SOUTHWEST LINE OF SAID 4.16 ACRE TRACT, THE FOLLOWING TWO (2) COURSES AND DISTANCES:

 NORTH 63°24'47" WEST (NORTH 54°16'00" WEST), A DISTANCE OF 461.45 (464.41) FEET TO A SET 5/8" STEEL REBAR WITH YELLOW PLASTIC CAP STAMPED "URBAN SURVEYING, INC." MARKING AN ANGLE POINT OF THE HEREIN DESCRIBED TRACT;

 NORTH 63°19'44" WEST (NORTH 54°11'00" WEST), A DISTANCE OF 10.58 (10.59) FEET TO THE POINT OF BEGINNING, CONTAINING WITHIN THESE METES AND BOUNDS A 4.162 ACRE TRACT OF LAND, MORE OR LESS.

BASIS OF BEARING IS BASED ON SUBDIVISION PLAT RECORDED IN VOLUME Z, PAGE 728 OF THE PLAT RECORDS, CALHOUN COUNTY, TEXAS.

ENGINEER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT, I, RAY M. BRIDGES, DO HEREBY CERTIFY THAT THE FOREGOING PLAT WAS PREPARED IN ACCORDANCE WITH THE SUBDIVISION AND DEVELOPMENT ORDINANCE OF CALHOUN COUNTY, TEXAS.

REVIEW COPY

RAY M. BRIDGES, P.E., R.P.L.S.
PROFESSIONAL ENGINEER
TEXAS REGISTRATION NO. 68789

URBAN ENGINEERING
TREF NO. F-160
2004 N. COMMERCE ST.
VICTORIA, TX 77901
(361) 578-9836

CALHOUN COUNTY APPRAISAL DISTRICT

I HEREBY CERTIFY THAT THE AD VALOREM TAXES ON THE LAND INCLUDED WITH IN THE BOUNDARIES OF THIS PLAT ARE PAID FOR THE TAX YEAR _____ AND ALL PRIOR YEARS.

IF APPLICABLE, THE ABOVE-DESCRIBED PROPERTY HAS/IS RECEIVING SPECIAL APPRAISAL BASED ON ITS USE, AND ADDITIONAL ROLLBACK TAXES MAY BECOME DUE BASED ON THE PROVISIONS OF THE SPECIAL APPRAISAL (COMPTROLLER RULE 9.3040) OR PROPERTY OMITTED FROM THE APPRAISAL ROLL AS DESCRIBED UNDER TAX CODE SECTION 25.21 IS NOT INCLUDED IN THIS CERTIFICATE [TAX CODE SECTION 31.08(B)].

SIGNED THIS THE _____ DAY OF _____, 2021.

JESSE W. HUBBELL
CHIEF APPRAISER

COUNTY CLERKS' CERTIFICATE

THE STATE OF TEXAS
COUNTY OF _____

I, _____, CLERK OF COUNTY COURT AND COUNTY CLERK OF CALHOUN COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING PLAT OF IN THE COUNTY OF CALHOUN, TEXAS, DULY AUTHENTICATED BY CERTIFICATION OF THE COUNTY OF CALHOUN ATTACHED HERETO, AS FILED FOR RECORD IN MY OFFICE ON THE _____ DAY OF _____, 2021 _____ O'CLOCK _____ M., AND WAS DULY RECORDED ON THE _____ DAY OF _____, 2021, IN THE SLIDE _____ INSTURMENT NO. _____ OF THE CALHOUN COUNTY PLAT RECORDS.

ANNA GOODMAN
COUNTY CLERK
COUNTY OF CALHOUN
STATE OF TEXAS

CITY SECRETARY'S CERTIFICATE

I, _____, CITY SECRETARY OF THE CITY OF PORT LAVACA, AN INCORPORATED CITY IN CALHOUN COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING PLAT WAS APPROVED BY THE CITY COUNCIL OF SAID CITY AS APPROVED BY LAW, AND THAT THE RESOLUTION APPEARS OF RECORD IN VOLUME _____, PAGE _____ OF THE MINUTES OF THE CITY COUNCIL OF PORT LAVACA AS KEPT IN MY OFFICE.

WITNEDED MY HAND AND SEAL OF THE CITY OF PORT LAVACA, TEXAS, ON THIS THE _____ DAY OF _____, 20____.

CITY SECRETARY
CITY OF PORT LAVACA, CALHOUN COUNTY
STATE OF TEXAS

CERTIFICATE OF OWNERSHIP AND DEDICATION

THE STATE OF TEXAS
COUNTY OF CALHOUN

THIS IS TO CERTIFY THAT I(WE), THE ESTATE OF LOUIS W. NEILL, AM(ARE) THE LEGAL OWNER(S) OF THE LAND SHOWN ON THIS PLAT, BEING THE TRACT OF LAND AS CONVEYED TO ME(US) BY INSTRUMENT No. 124155 OF THE OFFICIAL RECORDS OF CALHOUN COUNTY, TEXAS, AND DESIGNATED HEREIN AS LOUIS NEILL SUBDIVISION IN CALHOUN COUNTY, TEXAS.

FURTHER, I(WE), THE UNDERSIGNED, DO HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES SHOWN ON THIS PLAT FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED.

TREVOR NEILL
P.O. BOX 7682
VICTORIA, TX 77903

KATHERINE NEILL NICHOLS
P.O. BOX 7682
VICTORIA, TX 77903

THE STATE OF TEXAS
THE COUNTY OF _____

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED TREVOR NEILL, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SUCH PERSON EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____, _____.



NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS
THE COUNTY OF _____

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED KATHERINE NEILL NICHOLS, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SUCH PERSON EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____, _____.

NOTARY PUBLIC, STATE OF TEXAS

 URBAN SURVEYING INC. 2004 N. Commerce St. Phone: (361) 578-9837	SURVEYOR USI URBAN SURVEYING INC. Victoria, Texas 77901 FIRM # 10021100	PLAT PREPARED BY  URBAN engineering 2004 N. Commerce, Victoria, Texas 77901 · 361.578.9836 urbanvictoria.com · TREF# F-160
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JOB NUMBER:	E24342.00	DATE:	06/01/2021	PG 2 OF 2
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4.162 ACRES

THE STATE OF TEXAS}
THE COUNTY OF CALHOUN}

BEING a 4.162 acre tract of land situated in the Pascual Guajardo Survey, Abstract No. 20, Calhoun County, Texas, and being that same Tract One, a called 4.16 acre tract of land described by Warranty Deed dated March 21, 1974 conveyed from James C. Neill to Louis W. Neill and wife, Irmalee Neill as recorded in Volume 284, Page 1176 of the Deed Records, Calhoun County, Texas, said 4.162 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a found 5/8" steel rebar along the northeast line of State Highway No. 238 (a 120-foot Right-of-Way) marking the west corner of the aforesaid 4.16 acre tract and the herein described tract;

THENCE, North 43°54'14" East (North 53°40'00" East), departing the northeast right-of-way line of said State Highway No. 238, with the northwest line of said 4.16 acre tract, at a distance of 1.50 feet passing the south corner of Lot 34 of the Blue Heron Subdivision according to the established map or plat thereof as recorded in Volume Z, Page 728 of the Plat Records, Calhoun County, Texas, at a distance of 445.96 feet passing a found 5/8" steel rebar with cap stamped "G&W" along the southeast line of Lot 33 of the aforesaid Blue Heron Subdivision for reference and continuing for a total distance of 548.10 (549.20) feet to a point along Chocolate Bay marking the common corner of said 4.16 acre tract and the aforesaid Lot 33 for the north corner of the herein described tract;

THENCE, along said Chocolate Bay, with the northeast line of said 4.16 acre tract, the following courses and distances:

- South 09°11'31" East (South 00°06'00" West), a distance of 104.83 (103.80) feet to a point marking an interior corner of the herein described tract;
- South 61°36'31" East (South 52°19'00" East), a distance of 255.18 (252.67) feet to a point marking the east corner of said 4.16 acre tract and being the northwesterly corner of a called 4.50 acre tract of land described by Instrument to 135081 of the Official Public Records, Calhoun County, Texas for the east corner of the herein described tract;

THENCE, South 27°34'48" West (South 36°41'00" West), along the common line between said 4.16 acre tract and the aforesaid 4.50 acre tract, at a distance of 90.00 feet passing a set 5/8" steel rebar with yellow plastic cap stamped "URBAN SURVEYING, INC." for reference along said common line and continuing for a total distance of 430.25 (429.60) feet to a set 5/8" steel rebar with yellow plastic cap stamped "URBAN SURVEYING, INC." along the northeast right-of-way line of said State Highway No. 238 marking the south corner of said 4.16 acre tract and being the west corner of said 4.50 acre tract for the south corner of the herein described tract;

THENCE, along the northeast right-of-way line of said State Highway No. 238, with the southwest line of said 4.16 acre tract, the following two (2) courses and distances:

- North 63°24'47" West (North 54°16'00" West), a distance of 461.45 (464.41) feet to a set 5/8" steel rebar with yellow plastic cap stamped "URBAN SURVEYING, INC." marking an angle point of the herein described tract;
- North 63°19'44" West (North 54°11'00" West), a distance of 10.57 (10.59) feet to the **POINT OF BEGINNING, CONTAINING** within these metes and bounds a 4.162 acre tract of land, more or less.

Basis of Bearing is based on Subdivision Plat recorded in Volume Z, Page 728 of the Plat Records, Calhoun County, Texas.

The foregoing legal description and accompanying survey plat were prepared from an actual survey made on the ground under my supervision in May, 2021 and are true and correct to the best of my knowledge and belief.



05/25/2021

Urban Surveying, Inc.
By: Michael K. Williams
Registered Professional Land Surveyor
Texas No. 6616



S24342.00

Property Identification #: 26905

Geo ID: A0020-00000-0006-00
 Situs Address: Null
 Property Type: Real
 State Code: D2

Property Information: 2021

Legal Description: A0020 PASCUAL GUAJARDO, TRACT PT 2, ACRES 53.64
 Abstract: A0020
 Neighborhood: REGION 6-RURAL
 Appraised Value: \$19,450.00
 Jurisdictions: NV6, S01, FML, CAD, GWD, G05

Owner Identification #: 116826

Name: NEILL LOUIS W (ESTATE)
 Exemptions:
 DBA: Null

🔍 Re-Center Map



Calhoun CAD Map Search

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COMMUNICATION

SUBJECT: Discuss and approve Johnson replat and take any action deemed necessary.

INFORMATION:

CITY OF PORT LAVACA

PB MEETING: JUNE 7, 2021 **AGENDA ITEM** _____

DATE: 06.01.2021

TO: PLANNING BOARD

FROM: JESSICA CARPENTER, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Consider and discuss approval of a replat of lots 12-16 and part of lot 11 in block 6 of Mariemont Subdivision, Section 3 Volume Z, Page 373 of the C.C.D.R. Samuel Shupe Survey, Abstract No. 0000 of Calhoun County Texas. Located south of McPherson Drive and north of Larry Drive. The property identification numbers for this replat are as follows: PIN 20869, PIN 20877, PIN 20883, PIN 20895, PIN 20905, PIN 20917.

Sec. 42-106. - Application—Required.

The subdivider or his duly authorized representative shall appear before the planning commission, at an official meeting, and submit a formal application for replat approval.

Applicant has adhered to the proper subdivision replat application submittal and review procedural process prior to presentation before the Planning Commission.

The intent of this replat of lots 12-16 and part of lot 11 in block 6 of Mariemont Subdivision is to replat 6 lots into one larger lot. The property owner understands most of this property is in a flood zone. The only building site is part of lot 11 and part of lot 12 that does not require meeting Base Flood Elevation requirements for building within the FEMA AE Flood Zone. The driveway access shall be from Larry Drive to lot 11 as it is the only developed road to these lots. The proposed replat will create one large lot for the property owner to construct a residential home and enjoy open space.

Below references the City Code of Ordinances, Chapter 42 – Subdivisions and Plats, where this Preliminary Plat request is compliant and will meet the ordinance as presented.

Sec. 42-5. - Policy.

(a) It shall be unlawful for any owner or agent of any owner of land to lay out, subdivide, plat or replat any land into lots, blocks, and streets within the jurisdictional area of this chapter without the proper approval of the planning commission. It shall be unlawful for any such owner or agent to offer for sale or sell property for building lots, building tracts or urban use therein, which has not been laid out, subdivided, platted, or replatted with the approval of the planning commission in accordance with this chapter.

The applicant is compliant with the replat process prior to submitting any building plans for residential development.

Department Comments:

Engineering: Only driveway access shall be from Larry Drive to lot 11.

Fire: No comment

Public Works: Utility easement shown in the darker line color (same as building lines)

Development Services: Comply with building permit processes upon replat approval and recordation. Adhere to FEMA flood zone regulations.

Staff Recommendation: Approval

The replat request for approval of the replat of lots 12-16 and part of lot 11 in block 6 of Mariemont Subdivision, meets the City Code of Ordinance, Chapter 42 - Subdivisions and Plats. Therefore, staff recommends approval as per the ordinance citations within this report. Recommended conditions of approval are as follows:

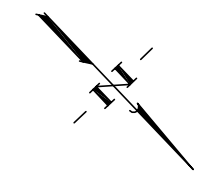
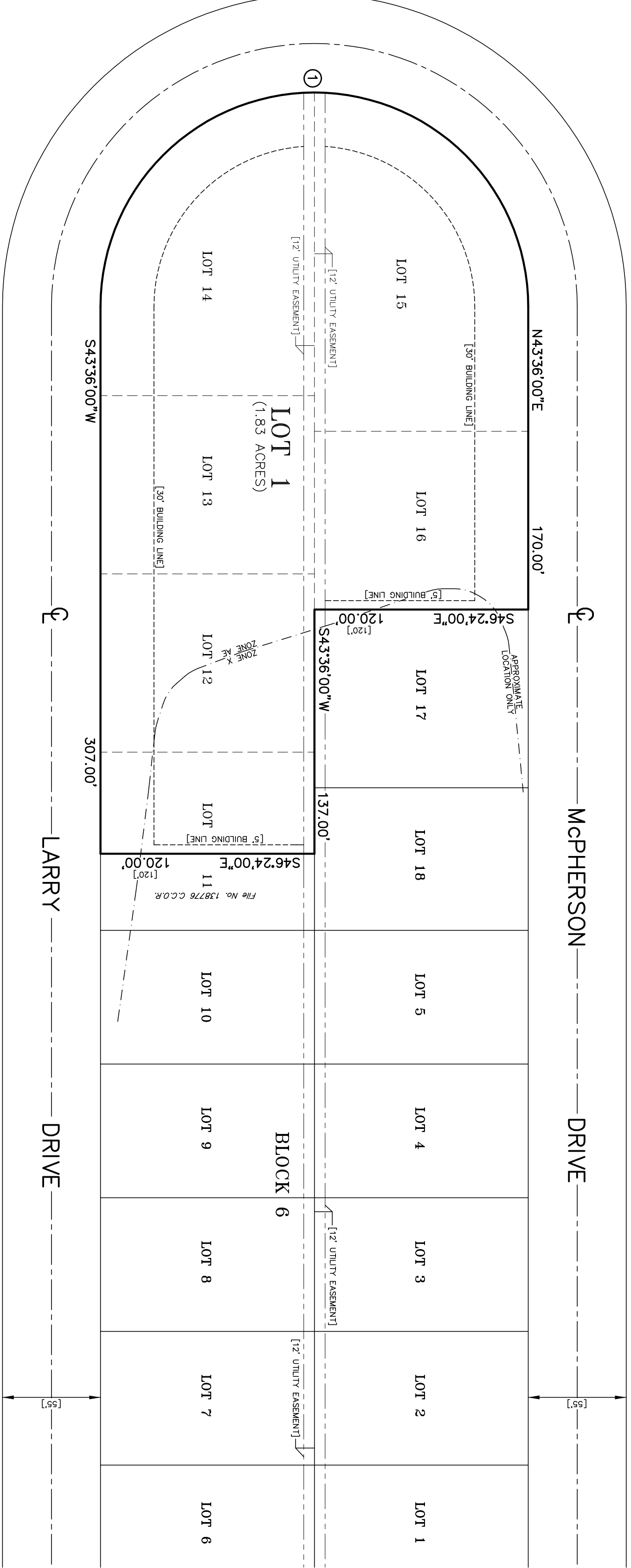
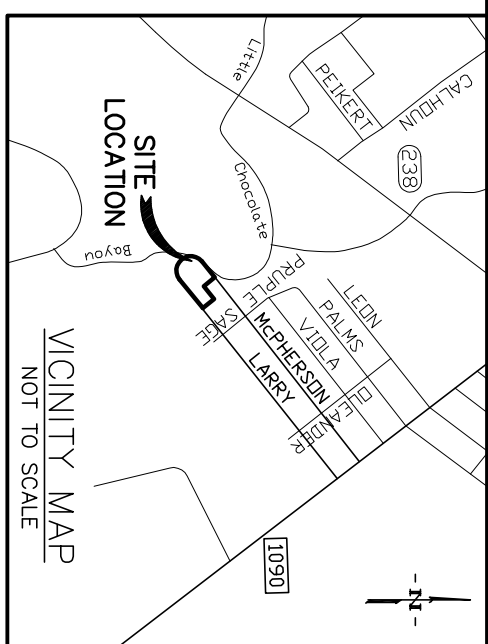
1. Only driveway access shall be from Larry drive to lot 11.
2. Utility easement shown in the darker line color (same as building lines)
3. Comply with building permit processes upon replat approval and recordation.
4. Adhere to FEMA flood zone regulations.

Attachments:

- Johnson Replat
- PIN 20869
- PIN 20877
- PIN 20883
- PIN 20895
- PIN 20905
- PIN 20917

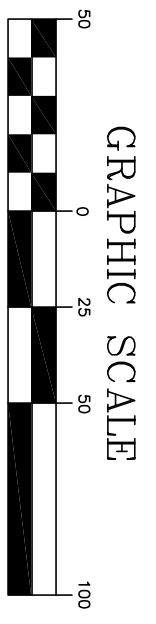
JOHNSON SUBDIVISION

1.83 ACRE SUBDIVISION
 BEING LOTS 12-16 AND PART OF LOT 11 IN BLOCK 6 OF MAREMONT SUBDIVISION, SECTION 3
 VOLUME Z, PAGE 373 OF THE C.C.D.R.
 SAMUEL SHUPE SURVEY, ABSTRACT NO. 0000 OF CALHOUN COUNTY, TEXAS



DRAWN BY:	J.H.D.
CHECKED BY:	H.A.D.
DATE:	MAY 23, 2020
SCALE:	1" = 50'

G & W ENGINEERS, INC.
 ENGINEERING • SURVEYING • PLANNING
 205 W. LIVE OAK STREET, PORT LAVACA, TEXAS 77979
 TBPELS FIRM NO.: 10022100
 (361) 552-4509; PORT LAVACA (979) 323-7100; BAY CITY



① CURVE DATA
 DELTA= 180°00'00"
 RADIUS= 120.00'
 LONG CH.= N46°24'00"W
 240.00'

NOTE: BEARINGS SHOWN HEREON ARE TEXAS STATE PLANE SOUTH CENTRAL ZONE NAD83 GRID BASED ON STATION 1440C-0219 ON THE RTK NETWORK.

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

05-27-2021
 RELEASE DATE

CERTIFICATE OF OWNERSHIP

STATE OF TEXAS
 COUNTY OF CALHOUN

WE, THE UNDERSIGNED, OWNERS OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS JOHNSON SUBDIVISION, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSE, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

LARRY JOHNSON

STATE OF TEXAS
 COUNTY OF _____

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED LARRY JOHNSON, KNOWN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2021.

NOTARY PUBLIC, STATE OF TEXAS

COUNTY CLERK CERTIFICATE

STATE OF TEXAS
 COUNTY OF CALHOUN

I, HEREBY CERTIFY THAT THE AD VALOREM TAXES ON THE LAND INCLUDED WITHIN THE BOUNDARIES OF THIS PLAT ARE PAID FOR THE TAX YEAR _____ AND ALL PRIOR YEARS.

IF APPLICABLE, THE ABOVE-DESCRIBED PROPERTY HAS/S RECEIVING SPECIAL APPRAISAL BASED ON ITS USE, AND ADDITIONAL ROLLEBACK TAXES MAY BECOME DUE BASED ON THE PROVISIONS OF THE SPECIAL APPRAISAL (COMPTROLLER RULE 9.3040) OR PROPERTY OMITTED FROM THE APPRAISAL ROLL AS DESCRIBED UNDER TAX CODE SECTION 25.21 IS NOT INCLUDED IN THIS CERTIFICATE [TAX CODE SECTION 31.08 (B)].

SIGNED THIS THE _____ DAY OF _____, 2021.

CALHOUN COUNTY APPRAISAL DISTRICT

I, HEREBY CERTIFY THAT THE AD VALOREM TAXES ON THE LAND INCLUDED WITHIN THE BOUNDARIES OF THIS PLAT ARE PAID FOR THE TAX YEAR _____ AND ALL PRIOR YEARS.

IF APPLICABLE, THE ABOVE-DESCRIBED PROPERTY HAS/S RECEIVING SPECIAL APPRAISAL BASED ON ITS USE, AND ADDITIONAL ROLLEBACK TAXES MAY BECOME DUE BASED ON THE PROVISIONS OF THE SPECIAL APPRAISAL (COMPTROLLER RULE 9.3040) OR PROPERTY OMITTED FROM THE APPRAISAL ROLL AS DESCRIBED UNDER TAX CODE SECTION 25.21 IS NOT INCLUDED IN THIS CERTIFICATE [TAX CODE SECTION 31.08 (B)].

SIGNED THIS THE _____ DAY OF _____, 2021.

JESSE W. HUBBELL,
 CHIEF APPRAISER

CITY COUNCIL CERTIFICATE APPROVAL

STATE OF TEXAS
 COUNTY OF CALHOUN

I, MANDY GRANT, CITY SECRETARY OF THE CITY OF PORT LAVACA, AN INCORPORATED CITY IN CALHOUN COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING SUBDIVISION PLAT WAS APPROVED BY THE CITY COUNCIL OF SAID CITY AS APPROVED BY LAW, AND THAT THE RESOLUTION APPEARS OF RECORD IN VOLUME _____ PAGE _____ OF THE MINUTES OF THE PLANNING BOARD OF PORT LAVACA AS KEPT IN MY OFFICE.

WITNESS MY HAND AND SEAL OF THE CITY OF PORT LAVACA, TEXAS, ON THIS THE _____ DAY OF _____, 2021.

FLOODPLAIN ADMINISTRATOR

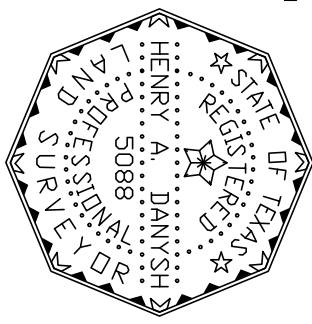
ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) FOR CALHOUN COUNTY, TEXAS, COMMUNITY PANEL NUMBER 48057C 0185 E, EFFECTIVE DATE OCTOBER 16, 2014, THE SUBJECT PROPERTY IS LOCATED IN FLOOD HAZARD AREA ZONE AE AND ZONE X.

A DEVELOPMENT PERMIT IS REQUIRED FROM THE FLOOD PLAN ADMINISTRATORS OFFICE, 211 SOUTH ANN STREET, ROOM 301, PORT LAVACA, TEXAS, 77979.

LADONNA THIGPEN
 FLOODPLAN ADMINISTRATOR

G & W ENGINEERS, INC.
 HENRY A. DANVSH
 REGISTERED PROFESSIONAL
 LAND SURVEYOR NO. 5088

I, HENRY A. DANVSH, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON REPRESENTS THE RESULT OF A SURVEY MADE ON THE GROUND UNDER MY DIRECTION ON MAY 3, 2021.



PRELIMINARY PLAT

FILE NO.:	8987-001
JOB NO.:	8987-001
SHEET NO.:	1 OF 1

Property Identification #: 20869

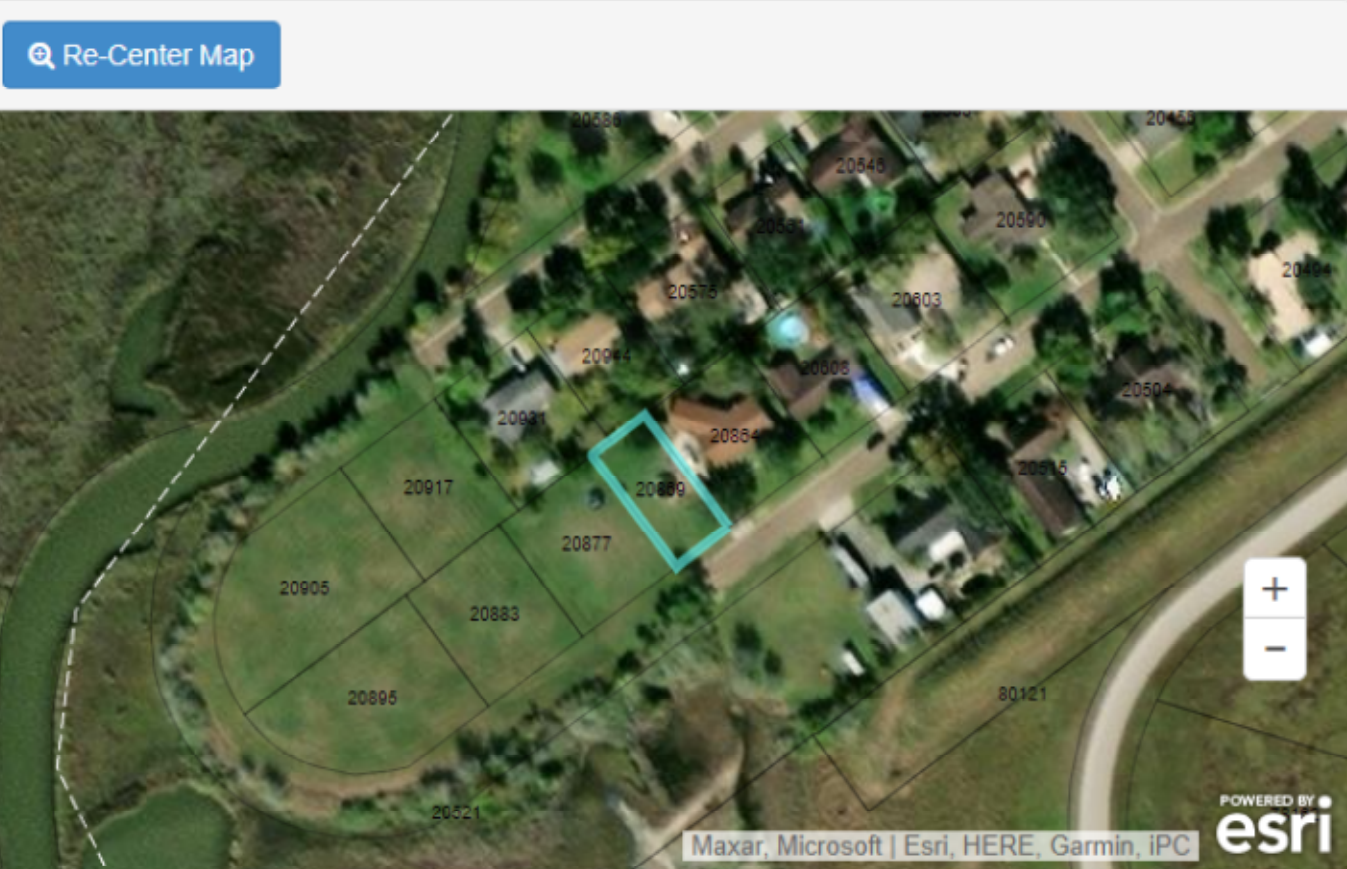
Geo ID: S0215-00060-0002-00
 Situs Address: Null
 Property Type: Real
 State Code: C1

Property Information: 2021

Legal Description: MARIEMONT #3 (PORT LAVACA), BLOCK 6, LOT 57 OF 11
 Abstract: S0215
 Neighborhood: MARIEMONT AREA
 Appraised Value: \$1,000.00
 Jurisdictions: G05, NV6, S01, C04, FML, CAD, GWD

Owner Identification #: 118518

Name: JOHNSON LARRY JR
 Exemptions:
 DBA: Null



Calhoun CAD Map Search

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Property Identification #: 20877

Geo ID: S0215-00060-0003-00
 Situs Address: Null
 Property Type: Real
 State Code: C1

Property Information: 2021

Legal Description: MARIEMONT #3 (PORT LAVACA), BLOCK 6, LOT 12
 Abstract: S0215
 Neighborhood: MARIEMONT AREA
 Appraised Value: \$1,000.00
 Jurisdictions: G05, NV6, S01, C04, FML, CAD, GWD

Owner Identification #: 118518

Name: JOHNSON LARRY JR
 Exemptions:
 DBA: Null

Re-Center Map



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Property Identification #: 20883

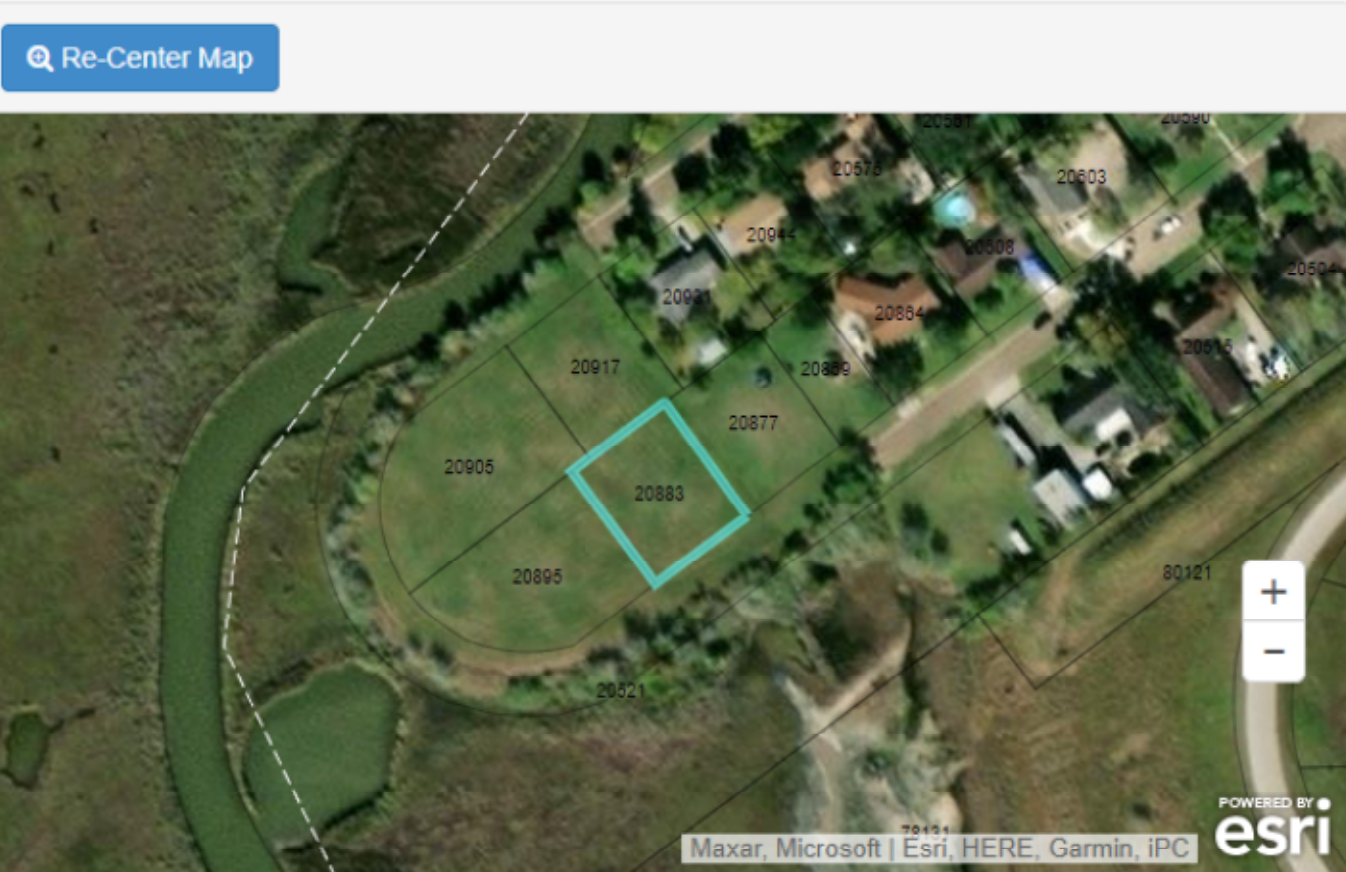
Geo ID: S0215-00060-0004-00
 Situs Address: Null
 Property Type: Real
 State Code: C1

Property Information: 2021

Legal Description: MARIEMONT #3 (PORT LAVACA), BLOCK 6, LOT 13
 Abstract: S0215
 Neighborhood: MARIEMONT AREA
 Appraised Value: \$1,000.00
 Jurisdictions: G05, NV6, S01, C04, FML, CAD, GWD

Owner Identification #: 118518

Name: JOHNSON LARRY JR
 Exemptions:
 DBA: Null



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Property Identification #: 20895

Geo ID: S0215-00060-0005-00
 Situs Address: Null
 Property Type: Real
 State Code: C1

Property Information: 2021

Legal Description: MARIEMONT #3 (PORT LAVACA), BLOCK 6, LOT 14
 Abstract: S0215
 Neighborhood: MARIEMONT AREA
 Appraised Value: \$1,000.00
 Jurisdictions: G05, NV6, S01, C04, FML, CAD, GWD

Owner Identification #: 118518

Name: JOHNSON LARRY JR
 Exemptions:
 DBA: Null

Re-Center Map



Calhoun CAD Map Search

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Property Identification #: 20905

Geo ID: S0215-00060-0006-00
 Situs Address: Null
 Property Type: Real
 State Code: C1

Property Information: 2021

Legal Description: MARIEMONT #3 (PORT LAVACA), BLOCK 6, LOT 15
 Abstract: S0215
 Neighborhood: MARIEMONT AREA
 Appraised Value: \$1,000.00
 Jurisdictions: G05, NV6, S01, C04, FML, CAD, GWD

Owner Identification #: 118518

Name: JOHNSON LARRY JR
 Exemptions:
 DBA: Null

Re-Center Map



Calhoun CAD Map Search

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Property Identification #: 20917

Geo ID: S0215-00060-0007-00
 Situs Address: Null
 Property Type: Real
 State Code: C1

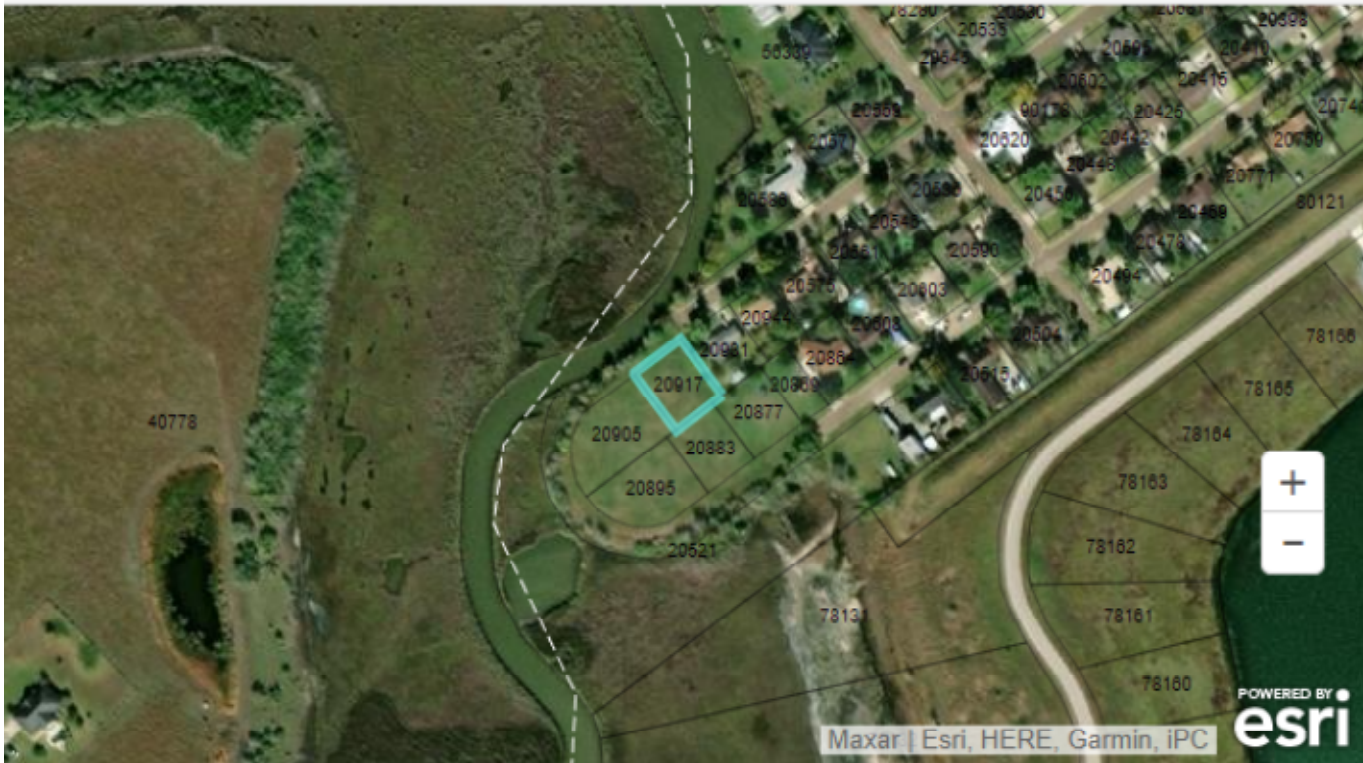
Property Information: 2021

Legal Description: MARIEMONT #3 (PORT LAVACA), BLOCK 6, LOT 16
 Abstract: S0215
 Neighborhood: MARIEMONT AREA
 Appraised Value: \$1,000.00
 Jurisdictions: G05, NV6, S01, C04, FML, CAD, GWD

Owner Identification #: 118518

Name: JOHNSON LARRY JR
 Exemptions:
 DBA: Null

Re-Center Map



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